

REGULAR MEETING of the Town Council held on Wednesday, September 27, 2006 at 7:15 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

MEMBERS ABSENT: None

1. Council President Wallace F. Lees led those present in pledging allegiance to the flag.

2. VOTED to continue the question of accepting the minutes of the regular meeting held August 23, 2006 and the question of dispensing with the reading of said minutes.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

3. Public Comment:

Kevin Blais, 1738 Tarkiln Road, objected to comments by the Town Solicitor that he said he had overhead during executive session at the previous meeting. Mr. Blais noted that he had filed a complaint with the Attorney General and would file a complaint with David Curtain, Disciplinary Counsel. Walter J. Kane, Town Solicitor, indicated that the executive session discussion had related to litigation and that he would respond to any complaints.

4. General Good and Welfare of the Town of Burrillville

Council President Wallace F. Lees commended Councilor Jacqueline Zahn for her work as liaison to the team negotiating the school teachers' agreement, noting the long hours and hard work involved. Councilor Zahn commented on the importance of the Town Council working with the School Department and discussed the value of the association.

Council President Wallace F. Lees thanked Councilors Ronald E. Faford and Nancy F. Binns for their work in negotiating the Council 94 agreement.

Councilor Jacqueline Zahn reminded those present of the Bicentennial/Homecoming Parade scheduled for Saturday, September 30, 2006 at 10:00 A.M. Councilor Margaret L. Dudley noted that Bicentennial T-shirts are available and displayed a sample.

Michael C. Wood, Town Manager, noted that the Department of Parks & Recreation would host an open house on October 6, 2006 at their office at 92 North Main St., Pascoag.

Michael C. Wood, Town Manager, noted that the Town Council and Administration have the right to respond to public comment and referenced changes in the open meeting law.

5. Petitions: None

6. Special Business:

06-247 VOTED to open the proclamation commending Matthew Presbrey and Jesse Statler for their achievements in the Student Auto Skills Competitions.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Council President Wallace F. Lees introduced Matthew Presbrey and Jesse Statler, spoke of their accomplishments, congratulated them and presented the following proclamation to Mr. Presbrey and Mr. Statler:

**BURRILLVILLE TOWN COUNCIL
PROCLAMATION**

WHEREAS, Matthew Presbrey is the eldest son of Craig and Karen Presbrey and attended Burrillville schools throughout his academic career, graduating from Burrillville High School in June 2006; and

WHEREAS, Jesse Statler is the eldest son of Thomas and Sandra Statler and attended Centerdale Elementary School and Burrillville Middle School and High School, graduating from Burrillville High School in June 2006; and

WHEREAS, Matthew and Jesse entered the Ford/AAA Student Auto Skills Competition and received first place in the State of Rhode Island at the May 11, 2006 competition in Warwick. Matthew and Jesse went on to represent the State of Rhode Island at the National Competition held on June 27, 2006 in Dearborn, Michigan where they placed 13th out of over 6,000 participants; and

WHEREAS, Matthew and Jesse are now further pursuing their interest in technology; Matthew is attending the Universal Technical Institute – Norwood Campus and Jesse will be attending the New England Technical Institute beginning in October of this year and is currently employed by Tasca as a service technician.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 27th day of September, 2006 do hereby honor and commend Matthew Presbrey and Jesse Statler for their achievements in the Student Auto Skills Competitions and wish them great success in all of their future endeavors.

06-248 VOTED to open the application from Dunkin' Donuts for a new victualing house license to apply at 1452 Bronco Highway (Assessor's Map 145, Lot 14) in a building owned by Kingston Rd. Associates. Note: Applicant requests permission to be open 24 hours per day.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Walter J. Kane, Town Solicitor, noted that a public hearing would be required before the Town Council could consider extending a victualing license for 24 hours per day.

VOTED to grant a victualing license to Dunkin' Donuts to apply at 1452 Bronco Highway (Assessor's Map 145, Lot 14) in a building owned by Kingston Rd. Associates; and to schedule a public hearing at the call of the chair.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-249 VOTED to grant a new hawkers & peddlers license to Keith Lambert d/b/a New England Novelty to sell balloons, toys and souvenirs from three or four push carts along the parade route on September 30, 2006.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-250 VOTED to grant a new annual hawkers & peddlers license to Michael J. Kropman d/b/a PM's Hot Dogs to sell hot dogs throughout the Town of Burrillville

Motion by Councilor Nancy F. Binns. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F.

Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-251 VOTED to grant a special event victualing house license to Pascoag Boy Scout Troop 100 to apply at St. Joseph's Church, 183 Sayles Avenue, Pascoag, on October 14th and November 26, 2006.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-252 VOTED to grant a Class F Liquor License to St. Joseph Church to apply at the Applefest Dinner to be held on October 21 2006 at 183 Sayles Avenue, Pascoag.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

7. Unfinished Business: None

8. New Business

06-253 VOTED to open the correspondence from Steven Welford, Superintendent of Schools, regarding his recommendation that the FY2007 Capital Improvement Plan be amended.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Stephen Welford, Superintendent of Schools, addressed the Town Council regarding the FY2007 Capital Improvement Plan. Mr. Welford indicated that the needs of the school system have been reviewed and his recommendation to amend the CIP would better address current needs. Mr. Welford's recommendation is on file with the record of the meeting. Mr. Welford spoke of his preference to deal with actual costs, noted that the plan was under on-going review and there might be a future request for approval to transfer funds within the budget. Michael C. Wood, Town Manager, indicated that the proposal contained more accurate information than past proposals and recommended that, if the Council were comfortable with the request, the proposal was reasonable and funds could be reallocated. Councilor William A. Andrews suggested that a reallocation would not involve any increase in spending.

VOTED to follow the recommendation of the Superintendent of Schools.

Motion by Councilor William A. Andrews. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-254 VOTED to schedule a workshop with the Burrillville Senior Center Task Force, as requested by Shirley Hodson, Task Force Chair.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-255 VOTED to receive and open the correspondence from Tom Lace regarding his request to address the Town Council regarding enforcement of zoning ordinances.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Tom Lace, 142 Grove St., voiced concerns relative to enforcement of zoning laws, particularly related to construction on property abutting his. Mr. Lace asked that the issue be investigated. Councilor Zahn recommended that Mr. Lace meet with the Town Manager. Walter J. Kane, Town Solicitor, explained the process of appealing a decision of the Building Official and suggested that Mr. Lace pursue the legal process to maintain his rights.

VOTED to refer to the Town Manager to work with the Building Official and Mr. Lace and, if need be, to bring it back to the Council.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-256 VOTED to receive and open the correspondence from Kevin Cleary, EIT, LSIT, Recycling Coordinator, regarding the RIRRC 2006 Recycling Participation Reimbursement.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: There was discussion of using the funds for rubbish/recycling receptacles. Councilor Nancy F. Binns suggested that recycling receptacles would be a welcome addition to special events, i.e. the Burrillville Arts Festival.

VOTED to congratulate Kevin Cleary for doing a good job in getting the word out and to accept the check.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-257 VOTED to receive and open the correspondence from Mark Therrien, Assistant General Manager of Planning, RIPTA, regarding the proposed installation of bus shelters on Harrisville Main Street and Central Street.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Michael C. Wood, Town Manager, indicated that the administration has questions related to crosswalks and access. Mr. Wood suggested that the Town Council might ask that the project be delayed until questions were answered.

VOTED that the Town Council send a letter in support of the Town Manager's letter, suggesting that, at the very least, they do a field study first, before they make any plans to award the contract.

Motion by Councilor Nancy F. Binns. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-258 VOTED to open the correspondence from Richard A. Bernardo, P.E., Director of Public Works and Engineering Services, regarding the reconstruction of Gazza Bridge; and from Walter J. Kane, Town Solicitor, relative to funding the project.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Michael C. Wood, Town Manager, indicated that the Town Council might allocate funds for the Gazza Bridge project to allow the Department of Public Works to optimize their schedule for capital projects. There was discussion of the funding and scheduling of capital projects.

VOTED to continue to the next month, to see if they can come up with the funding.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-259 VOTED to award the resurfacing and lining of the running track at Branch River Park to Narragansett Improvement in the amount of \$57,350.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Margaret L. Dudley.

Discussion: There was discussion that the track had been resurfaced to a lesser degree in the past and that this project would be a complete resurfacing of the track.

The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-260 VOTED to open resolution approving Declaration of Covenants and Restrictions governing the development of Commerce Park, Property Owned by the Town of Burrillville (Map 212, Lot 1); and directing the Town Clerk to record said document in the land evidence records of the Town of Burrillville.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Councilor William A. Andrews reviewed the process, noting that the covenants and restrictions are associated with the agreement with the Burrillville Industrial Foundation approved on August 23, 2006.

VOTED to approve, as follows:

RESOLUTION

The Town Council of the Town of Burrillville hereby resolves that the attached Declaration of Covenants and Restrictions governing the development of Commerce Park, Property Owned by the Town of Burrillville, (Map 212, Lot 1) is hereby approved and the Town Clerk is directed to record said document in the land evidence records of the Town of Burrillville.

Adopted this 27th day of September 2006.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-261 VOTED to accept the \$3,500,000 CWSRF State Revolving Fund Loan agreement between the Town of Burrillville and the Rhode Island Clean Water Finance Agency; and to authorize the Town Council President to sign the agreement.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-262 VOTED to open the correspondence from the Rhode Island Department of Transportation regarding the plans for the traffic signal – Bronco Highway at Inman Road.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

VOTED to approve the correspondence.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-263 VOTED to open the correspondence from John P. Mainville, Finance Director, regarding his request for Council authority to proceed in the sale of bonds for the library and wastewater treatment projects, along with the possible refunding of an existing bond(s) if market rates are favorable.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of

the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

VOTED that the Finance Director is hereby authorized to proceed with the sale of bonds for the library project pursuant to Chapter 104 of the Public Laws of 2002, for the sewer project pursuant to Chapter 37 of the Public Laws of 2002, and for refunding purposes pursuant to Section 45-12-5.2 of the General Laws and any authorization of the Town Council heretofore or hereafter approved for such refunding purposes in an aggregate amount not to exceed the authorized amounts therefore that have not yet been issued, the final details of such bonds to be determined by a subsequent vote of the Town Council. Further, it is understood that any amounts paid by the Town on these projects prior to receiving the bond proceeds will be eligible for reimbursement from those bond proceeds.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-264 VOTED to open the correspondence from the Ordinance Subcommittee regarding their recommendations for parking along Sayles Avenue, Pascoag.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Councilor William A. Andrews, Chair, Ordinance Subcommittee, noted that the Ordinance Subcommittee had reviewed parking in general on several occasions. Councilor Andrews said that Sayles Avenue presents the most difficult parking situation, reviewed various parking restrictions that had been employed through the years, and reported that the Subcommittee recommended that the Town Council conduct a public hearing to identify the residents' thoughts on the matter.

VOTED to hold a public hearing at the call of the chair; to invite townspeople in general, to determine what to do with the parking problem.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-265 Correspondence from the Screening Subcommittee regarding their recommendations.

VOTED to reappoint Richard Cardin to the Juvenile Hearing Board for a 3 year term to expire January 31, 2009.

Motion by Councilor William A. Andrews. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

VOTED to appoint Linda Henderson to the Jesse M. Smith Library Board of Trustees for a 2 year term to expire June 30, 2008.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

VOTED to appoint Michael F. Magnan to the Library Building Committee.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the

motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

VOTED to reappoint Cheryl Almeida to the Juvenile Hearing Board for a three-year term to expire January 31, 2009.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-266 VOTED to refer to the Screening Subcommittee the application for reappointment to the Recreation Commission from Allan E. Low, Jr.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-267 VOTED to refer to the Screening Subcommittee the application for reappointment to the Recreation Commission from Albert Musso.

Motion by Councilor Nancy F. Binns. Seconded by Councilor

Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-268 VOTED to refer to the Screening Subcommittee the correspondence from the Burrillville Housing Authority regarding the reappointment of Dorothy Karolyshyn to the Housing Authority.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

9. Town Clerk/Communication:

06-269 VOTED to receive and open the correspondence from M. Christine Langlois, Administrative Assistant, Planning Department, regarding the 2006-2007 CDBG program.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: The Town Council voiced disappointment that certain programs, in particular the Heating Oil, Rental and Home Ownership Down-Payment Assistance program cosponsored by the Berean Baptist Church and the Burrillville Housing Authority, had not been funded through the CDBG program.

VOTED to receive and file.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-270 VOTED to receive and open the copy of Correspondence from the Burrillville Conservation Commission to Mr. & Mrs. Paul J. Desjardins, regarding use of all terrain vehicles at the Joseph O. Brock Memorial Management Area, Nipmuc River Trail.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: There was discussion of damage that can be caused by

all terrain vehicles. It was noted that this issue had been resolved by the referenced letter.

VOTED to receive and file.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-271 VOTED to receive and file the correspondence from the Blackstone Valley “Footsteps in History” Preserve America Program regarding a reception scheduled for October 3, 2006 at Hearthside Estate, Lincoln, RI.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-272 VOTED to receive and file the Remedial Approval Letter – Case No. 2004-036 – Stillwater Mill Complex – Library Project received from Rhode Island Department of Environmental Management.

Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-273 VOTED to receive and file the correspondence from W. Joseph Casey, Senior Environmental Scientist, Office of Water Resources/Permitting Section, Freshwater Wetlands Program, regarding insignificant alteration permit No. 06-0304.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-274 VOTED to receive and file the correspondence from W. Joseph Casey, Senior Environmental Scientist, Office of Water Resources/Permitting Section, Freshwater Wetlands Program, regarding insignificant alteration permit No. 06-0346.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-275 VOTED to open the correspondence from the Burrillville Planning Board regarding their opinion relative to a proposed abandonment of a paper roadway known as Burrows Lane.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Discussion: Walter J. Kane, Town Solicitor, reviewed the public hearing process for road abandonment. It was noted that the Town Council had not yet received a request to abandon the road.

VOTED to receive and file.

Motion by Councilor Nancy F. Binns. Seconded by Councilor William A. Andrews . The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-276 VOTED to support the resolutions from the Towns of Middletown, New Shoreham, Portsmouth, Richmond and South Kingstown, RI, regarding the Town Councils' opposition to the

proposed amendment to the Rhode Island Constitution relative to casino gambling.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-277 VOTED to support a resolution from the Town of South Kingstown regarding insurance companies' non-renewal and cancellation policies based on geographic location of properties.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

10. VOTED to receive reports 1 – 27, as follows:

- 1. Town Treasurer: No report**
- 2. Burrillville Sewer Commission: Report of August 2006, Meeting of August 8, 2006**
- 3. Tax Collector: Report of August 2006**
- 4. Department of Public Works: Report of August 2006**

- 5. Chief of Police: August 2006**
- 6. Office of Building Official: August 2006**
- 7. Animal Control Officer: August 2006**
- 8. Burrillville Housing Authority: Meeting of August 1, 2006**
- 9. Planning Board: No report**
- 10. Zoning Board of Review: No report**
- 11. Town Planner: No report**
- 12. Parks and Recreation Department: Reports of August & September**
- 13. Information Systems Department: September 2006**
- 14. Burrillville Conservation Commission: No report**
- 15. Juvenile Hearing Board: No report**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meeting of June 27, 2006**
- 18. Route 102 Study Commission: No report**
- 19. BOSAP: No report**
- 20. Personnel Board: No report**
- 21. Screening Subcommittee: Meetings of July 17 & August 24, 2006**
- 22. Downtown Pascoag and Neighborhood Association: No report**
- 23. Budget Board: No report**
- 24. Library Building Committee: Project report of August 15, 2006**
- 25. Burrillville School Committee: No report**
- 26. Library Fundraising Committee: Meeting of June 21, 2006**
- 27. Callahan School Building Committee: Meetings of August 15 & 25, 2006**

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

11. Additional New Business:

06-278 VOTED to grant the request for Executive Session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(2)] for discussions relating to litigation matters and collective bargaining regarding the Council 94 negotiations; and [42-46-5(a)(5)] for review, discussion and action related to the acquisition, sale and exchange of real property.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Note: There was a brief recess before the executive session.

The Town Council returned to open session at 9:28 P.M.

VOTED to seal the minutes of executive session, noting that three

votes had been taken.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

06-279 VOTED to receive and file discussion, consideration and action on a collective bargaining agreement between the Town of Burrillville and Council 94, Local 186.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

12. VOTED to adjourn at 9:30 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

Louise R. Phaneuf, Town Clerk